

**OPINION
48-99**

November 15, 1948 (OPINION)

LABOR

RE: Minors Acting as Paid Chauffeur

I have your letter of November 10, 1948, in which you inquire whether or not section 34-0716 of the 1943 Revised Code would prohibit minors under sixteen years of age from driving an automobile as a paid chauffeur.

Subsection 1 of section 34-0716 of the 1943 Revised Code prohibits a minor from any employment involving the use of any power driven machinery.

It is true that under the provisions of section 39-0605 of the 1947 Session Laws, "an operator's license may be issued to any child, who is more than fourteen years of age and less than sixteen years of age," under certain conditions.

However, I do not believe that the statute contemplates that a child between the ages of fourteen and sixteen years is authorized to act as a paid chauffeur.

An automobile is, of course, a power driven machine and I believe that the operation of a car by a minor under sixteen and over fourteen years of age would be more or less dangerous, and would come within the inhibition of section 34 0716 of the 1943 Revised Code.

P.O. SATHRE

Attorney General